

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

UNITED STATES OF AMERICA,)	
)	
v.)	CR419-189
)	
SHERMAN LATROY ROBINSON)	

REPORT AND RECOMMENDATION

On January 14, 2020, the Court ordered a forensic psychological examination of defendant Sherman Robinson, in accordance with 18 U.S.C. § 4241(a) and (b), to assess both his mental competency for trial and his criminal responsibility for the charged offense. Doc. 22. He has since had a comprehensive psychological evaluation at the Federal Medical Center in Fort Worth, Texas. Doc. 28. The parties dispute certain aspects of the Report’s contents and defendant moved for a hearing. *See* doc. 29 (Motion for Hearing and objections); doc. 35 (Government’s Response).

Despite their disagreements over portions of the Report, the parties have stipulated their agreement with its conclusion that defendant is competent to stand trial. Doc. 36. The Court concurs with the report’s un rebutted conclusion. It reports no finding and recommends no action on “any objections to the factual accuracy of the Report’s description of

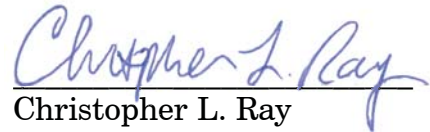
Defendant's background, and the conclusion in the Report's addendum regarding Defendant's mental state at the time he committed the alleged offense." Doc. 36 at 1-2. It is therefore **RECOMMENDED** that defendant be found competent to stand trial pursuant to 18 U.S.C. § 4241. Since the parties have stipulated to the Report's conclusion, defendant's Motion for Hearing is **DENIED** as moot. Doc. 29

This R&R is submitted to the district judge assigned to this action, pursuant to 28 U.S.C. § 636(b)(1)(B) and this Court's Local Rule 72.3. Within 14 days of service, any party may file written objections to this R&R with the Court and serve a copy on all parties. The document should be captioned "Objections to Magistrate Judge's Report and Recommendations." Any request for additional time to file objections should be filed with the Clerk for consideration by the assigned district judge.

After the objections period has ended, the Clerk shall submit this R&R together with any objections to the assigned district judge. The district judge will review the magistrate judge's findings and recommendations pursuant to 28 U.S.C. § 636(b)(1)(C). The parties are advised that failure to timely file objections will result in the waiver of

rights on appeal. 11th Cir. R. 3-1; *see Symonette v. V.A. Leasing Corp.*, 648 F. App'x 787, 790 (11th Cir. 2016); *Mitchell v. United States*, 612 F. App'x 542, 545 (11th Cir. 2015).

SO REPORTED AND RECOMMENDED, this 16th day of
June, 2020.



Christopher L. Ray
United States Magistrate Judge
Southern District of Georgia